REMARKS

Claims 28 to 54 are pending in the application.

Drawings

The examiner objects to the drawings because the selecting device of claim 38 is not shown. It is respectfully submitted that the selecting device refers to the vacuum arrangement at the downstream end of the feeder which is shown in detail in Fig. 4 and explained in detail in the paragraph bridging pages 13 and 14. This paragraph, for clarification purposes, has been amended to introduce the term selecting device.

Reconsideration and withdrawal of the objection to the drawings are respectfully requested.

Claim Objection

Claim 38 is objected to because it is not properly structured (line indentation missing).

Claim 38 has been reworked and now shows proper indentations.

Claim Rejections - 35 U.S.C. 112

Claims 40, 50-52 stand rejected under 35 U.S.C. 112, 2nd paragraph, as being indefinite for lack of antecedence. The claims have been revised in order to provide proper antecedence.

Reconsideration and withdrawal of the rejection of the claims under 35 USC 112 are respectfully requested.

Rejection under 35 U.S.C. 102

Claims 28, 31-33, 35, 38, 40, 41, 48 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Gosslinghoff (US 5,556,087)*.

Instant claims 28 and 38 define a method and an apparatus, respectively, for gathering flat printed products where the printed products are advanced in a second direction that is crosswise to the first direction of the collecting conveyor 10 in a continuous flow of printed products with a feeder 1 with feeding elements arranged upstream of the collecting conveyor 10. A leading portion of a printed product is gripped at the discharge end of the feeder 1 by separating grippers 60 of a transferring conveyor 40 which is arranged adjacent to and travels parallel to the collecting conveyor 10. The gripped printed product is moved with the transferring conveyor 40 away from the feeder substantially

along a path that extends generally along the first direction of the collecting conveyor.

The parallel movement of the collecting conveyor and the transfer conveyor with its grippers is shown e.g. in Figs. 1 and 2 and is disclosed in the specification (page 10, 2nd and 3rd paragraphs).

Thus, it is important to realize that the feeding direction is crosswise to the transport direction of the collecting conveyor and the transfer conveyor and that the transfer conveyor and the collecting conveyor travel in the same direction. The printed products as they are gripped by the grippers of the transfer conveyor are thus accelerated in the direction of transport of the collecting conveyor and this enables a smooth and easy transfer to the collecting conveyor. The instant specification explains the advantages achieved by the claimed method and device on page 4, line 14, to page 5, line 11.

The device of *Gosslinghoff (US 5,556,087)* has a transfer device 30, 32 that moves the printed sheets 24 from the feeder, provided in the form of a belt conveyor 68, in the same direction as the feeding direction of the belt conveyor 68 into the receiving compartment 16 (see col. 5, line 54, to col. 7, line 13; see Figs. 4, 5, 6). The collecting conveyor in the form of the drum 10 then transports the sheet 24 received in the compartment 16, i.e., after the transfer has taken place, away in a direction that is transverse to the feeding direction and the transfer direction. Thus, the transfer direction is the same as the feeding direction and not crosswise to the feeding direction.

Moreover, the transfer conveyor is not arranged adjacent to the collecting conveyor and does not travel parallel to the collecting conveyor. The transfer conveyors are mounted on the drum and are thus a part of the collecting conveyor.

Claims 28 and 38 and their dependent claims are therefore not anticipated by or obvious in view of *Gosslinghoff*.

Claims 28, 29,33-36,38,39,41,44,45,48 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Chick (US 6,457,231).*

Reference is being had to the discussion above in connection with *Gosslinghoff* in regard to the features and advantages of the present invention as claimed in claims 28 and 38.

Chick shows transfer of the sheets 22 from the feed stack by suction element 110

to the belts 50, 54 and the sheet 22 secured between the belts 50, 54 is caused to move about drum 44 to the end of the transfer path where the sheet 22 is propelled into the jacket 26 that is being transported past the belts 50, 54 on the conveyor 28 (compare Fig. 1 where the conveyor 28 and its movement direction 30 are shown in relation to the feed stack 22 and the transfer device in the form of drum 44 and where also the transfer direction is indicated by the arrow extending perpendicularly to the arrow 30). The transfer direction is thus perpendicular to the movement direction of the collecting conveyor and not parallel to the direction of movement of the collecting conveyor. When the insert 22 is propelled toward the jacket 26, the insert 22 impinges at a right angle and must be accelerated by the jacket 26. This is a critical moment as two objects meet at different speed and with different movement direction; this may cause various problems in regard to collection and proper feeding; the present invention has solved this problem by moving the transfer conveyor and the collecting conveyor in the same direction. Also, the transfer is such that the sheets are moved from the initial feeding plane into a second vertically displaced plane, the distance being determined by the drum diameter. This means a long transfer distance.

The transfer conveyor of *Chick* is not arranged adjacent to the collecting conveyor and does not travel parallel to the collecting conveyor. In *Chick* the transfer conveyor 44, 50, 54 is stationary and does not travel with the collecting conveyor.

By arranging the transfer conveyor adjacent to the collecting conveyor and causing the transfer conveyor to travel parallel to the collecting conveyor, as proposed by the present invention, the sheets gripped by the grippers of the transfer conveyor are accelerated and moved away from the feeder in the movement direction of the collecting conveyor so that the sheets when being dropped onto the collecting conveyor already are moving at the speed of the collecting conveyor. A fast and reliable transfer is provided.

Claims 28 and 38 and their dependent claims are therefore not anticipated by or obvious in view of *Chick.*

Claims 28-30, 33, 34, 38, 39, 41, 42, 54 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Newsome (US 5,088,711).*

Reference is being had to the discussion above in connection with *Gosslinghoff* in

regard to the features and advantages of the present invention as claimed in claims 28 and 38.

Newsome shows in Figs. 1 and 2 a feeder 90, 100 and a transfer device in the form of a drum conveyor 38 with suction cups 39 for transferring the signatures from the feeder 90, 100 by a rotation about 180 degrees to the collecting conveyor 36, 37 arranged underneath. This is similar to the arrangement of *Chick* except the axis of rotation of the drum conveyor is turned by 90 degrees relative to the feed direction. This means that the signature, as shown by the arrow indicating the rotational direction of the drum, is first moved in a direction opposite to the direction of movement of the collecting conveyor 36, 37 (initial 90 degree revolution required for transfer) and is then moved in the direction of movement of the collecting conveyor (final 90 degrees of revolution required for transfer). Also, this transfer by rotation about a drum means that the signature is moved vertically to a different plane, as in *Chick*. Thus, there are two factors slowing the transfer: initial movement in opposite direction to the movement of the collecting conveyor and movement to a vertically displaced plane.

Moreover, the transfer conveyor of *Newsome* is not arranged adjacent to the collecting conveyor and does not travel parallel to the collecting conveyor. By arranging the transfer conveyor adjacent to the collecting conveyor and causing the transfer conveyor to travel parallel to the collecting conveyor, as proposed by the present invention, the sheets gripped by the grippers of the transfer conveyor are accelerated and moved away from the feeder in the movement direction of the collecting conveyor so that the sheets when being dropped onto the collecting conveyor already are moving at the speed of the collecting conveyor. A fast and reliable transfer is provided.

Claims 28 and 38 and their dependent claims are therefore not anticipated by or obvious in view of *Newsome*.

Claims 28, 29, 33, 34, 36-39, 41, 43-46, 48, 50, 52, 53 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Burk (US 2005/0073083).*

It is respectfully submitted that this reference is not a valid reference. The filing date of the reference is **September 30, 2004.** This date is after the two priority dates claimed for the instant application: **April 2, 2004, and June 3, 2004.**

ALLOWABLE SUBJECT MATTER

Claims 47, 49 and 51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates examiner's suggestion of allowable subject matter but is of the opinion that the claims as amended define over the prior art without requiring any limitation of the allowable claims

CONCLUSION

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or **e-mail** from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on June 19, 2009,

/Gudrun E. Huckett/

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